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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA
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7 VICTOR TAGLE,

8 Plaintiff,

9 vs.

10 STATE OF NEVADA, et al.,

11 Defendants.
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Case No. 2:15-cv-02143-RFB-CWH

ORDER

13 Presently before the court is Plaintiff Victor Tagle's Motion for Recovering File from
14 D.A.G. at NDOC's Expense, Under 42 USCS § 1985 (ECF No. 84), filed on September 1, 2017.
15 Defendant Christopher Beecroft filed a response (ECF No. 95) on September 15, 2017.

16 Plaintiff requests a copy of the "whole file" from cases 3:16-cv-00148 and 2:15-cv-00623,
17 arguing that personnel from the Attorney General's office, the Nevada Department of Corrections,
18 and others conspired to destroy the files under the supervision of two United States magistrate
19 judges. Given that Plaintiff references an upcoming hearing before United States District Judge
20 Boulware, it is the court's understanding that Plaintiff is requesting these files for the hearing.
21 Plaintiff requests that the files be provided to him at the Attorney General and Nevada Department
22 of Corrections' expense.

23 Defendant responds that the files have not been destroyed. Defendant represents to the
24 court that Lovelock Correctional Center prison officials placed the files in storage in compliance
25 with a prison administrative regulation that allows inmates to possess no more than three legal
26 boxes in their cells. Defendant further represents that Plaintiff may access the stored legal
27 documents by submitting a kite requesting the documents.

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Given that the upcoming hearing before Judge Boulware on September 29, 2017, is in this case, it is unclear to the court how documents from two other cases are relevant to the hearing. Regardless, based on Defendant's representations that the documents have not been destroyed and are accessible to Plaintiff, the court will deny Plaintiff's motion.

IT IS THEREFORE ORDERED that Plaintiff Victor Tagle's Motion for Recovering File from D.A.G. at NDOC's Expense, Under 42 USCS § 1985 (ECF No. 84) is DENIED.

DATED: September 25, 2017

C.W. Hoffman, Jr.
United States Magistrate Judge